

2018 Current Fiscal Year Report: Cape Cod National Seashore Advisory Commission

Report Run Date: 06/05/2019 04:56:33 PM

1. Department or Agency

Department of the Interior

2. Fiscal Year

2018

3. Committee or Subcommittee

Cape Cod National Seashore Advisory Commission

3b. GSA Committee No.

485

4. Is this New During Fiscal Year?

No

5. Current Charter

05/08/2012

6. Expected Renewal Date

7. Expected Term Date

09/26/2018

8a. Was Terminated During Fiscal Year?

Yes

8b. Specific Termination Authority

P.L. 87-126, as amended by
P.L. 111-11

8c. Actual Term Date

09/26/2018

9. Agency Recommendation for Next Fiscal Year

Terminate

10a. Legislation Req to Terminate?

Yes

10b. Legislation Pending?

Enacted

11. Establishment Authority Statutory (Congress Created)

12. Specific Establishment Authority

P.L. 87-126, as amended by P.L.
111-11

13. Effective Date

08/07/1961

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee Non Scientific Program Advisory Board

16a. Total Number of Reports

No Reports for this
Fiscal Year

17a. Open 2 Meetings and Dates 17b. Closed 0 17c. Partially Closed 0 Other Activities 0 17d. Total 2

Purpose

Regular meeting of the Commission. First since February 2017

Regular Meeting of the Commission

Start

06/18/2018

09/24/2018

End

- 06/18/2018

- 09/24/2018

Number of Committee Meetings Listed: 2

Current FY Next FY

18a(1). Personnel Pmts to Non-Federal Members

\$0.00 \$0.00

18a(2). Personnel Pmts to Federal Members

\$0.00 \$0.00

18a(3). Personnel Pmts to Federal Staff

\$700.00 \$0.00

18a(4). Personnel Pmts to Non-Member Consultants

\$0.00 \$0.00

18b(1). Travel and Per Diem to Non-Federal Members

\$0.00 \$0.00

18b(2). Travel and Per Diem to Federal Members

\$0.00 \$0.00

18b(3). Travel and Per Diem to Federal Staff

\$0.00 \$0.00

18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$700.00	\$0.00
18d. Total	\$1,400.00	\$0.00
19. Federal Staff Support Years (FTE)	0.10	0.00

20a. How does the Committee accomplish its purpose?

This Advisory Commission works through a combination of open discussions at public meetings and subcommittee meetings, and consultations of members with their represented constituencies. Because commission members are not representing the government (with the exception of the Secretary's representative) members of the public sometimes feel more comfortable that their comments are being heard with open minds. Also, Commission members often see issues from disparate viewpoints, which makes for productive dialogue. An example of work accomplished recently is the finalization of a Preferred Alternative for the Herring Cove North Parking Lot. A parking lot may not seem like it should be a big deal or very controversial, however, the future of this particular lot was so controversial that its discussion was removed from the 1998 GMP (general management plan) process in order to move forward on larger topics. This mile long parking lot is built on a remnant of a 1920's State coastal tour road. An asphalt revetment (acting as a seawall) was installed to protect parking with direct beach access. The parking lot also allowed for year-round viewing of migratory whales and world famous sunsets. Sea level rise since it was constructed; erosion and storm action regularly damaged the revetment and parking lot, demonstrating the fact that a change was needed. Local concern was that the NPS would close the lot and require a remote lot with a shuttle. An Advisory Commission subcommittee was assembled by the Chair and solicited professional input from coastal scientists, town representatives, and state and federal policy experts. Seashore funds supported professional facilitation group (CBI) and professional coastal engineering and NEPA personnel. A Preferred Alternative was derived which is satisfactory to all the stake holders and is responsive to coastal change, sustainability goals, environmental requirements and maintains a remarkable visitor experience. This project will be public discussion at the Advisory Commission until it is constructed, projected 2018. The Commission continues to provide input on important National Seashore issues such as the Shore Bird Management including selective predator management (eliminating crows) to support the success of the listed Piping Plover, bike trail work, Climate Friendly Parks, and Green initiatives. Commission members have also taken the lead expressing concerns over the re-authorization of the Pilgrim Nuclear Power Plant, Plymouth, MA. This aging plant, with the same design as the Fukushima Plant, Japan, is only 20 miles down-wind across Cape Cod Bay. However, there currently is no requirement for the plant owners to be concerned with evacuation plans or emergency plans for Cape residents or the millions of seasonal visitors. A serious

accident will have a direct affect upon the millions of park and Cape visitors as well as the resources within the 44,000 acre National Seashore boundary.

20b. How does the Committee balance its membership?

Membership is composed of one member from each of the six towns within the Seashore, two from the Commonwealth of Massachusetts, one from Barnstable County, and one member appointed at the discretion of the Secretary of the Interior. The most recent round of replacement nominations includes alternates for many of the represented bodies. Since many of the members are working people, having alternates makes a quorum at any given meeting more likely.

20c. How frequent and relevant are the Committee Meetings?

The goal of the Commission is to meet every other month outside of the summer months but only met two times in FY 2018. The interests of respective constituencies are well represented and their relevance in promoting good relations within the Seashore and the community cannot be overstated. Continuation of the Commission is considered a key administrative tool as Cape Cod National Seashore is located within six already-established towns. This Commission is extremely relevant.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

See above comments. As described in P.L. 87-126, the purpose of the Commission is to consult with the Secretary of the Interior, or the Secretary's designee, with respect to matters relating to the development of the Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore. Additionally, the advice of the Commission shall be sought before the issuance of permits for industrial or commercial use of property within the Seashore, and before the establishment of any public use area for recreational activity within the Seashore, and any proposed action which would create a substantive change in natural conditions or in existing structures within the Seashore. The purpose and need have not changed.

20e. Why is it necessary to close and/or partially closed committee meetings?

All meetings are open.

21. Remarks

(1) EXPECTED CHARTER RENEWAL DATE -- The FACA section 14(b) biennial rechartering requirement has been waived for this committee pursuant to P.L. 102-525, Oct. 26, 1992. (2) Re MEMBERSHIP -- In accordance with P.L. 102-525 and the Commission's charter, members may continue to serve after the expiration of their terms

until successors are appointed. Note that all meetings have a simple information component consisting of the superintendent's report in which more or less detailed updates are given by park staff on matters in which the represented bodies have had or do have an interest. Even absent a formal agenda action item, this steady and reliable exchange of information is very helpful to the overall transparency of park management decisions. All meetings are open to the public and the media. Committee extended by Title VII, Subtitle E, Section 7402 of Public Law 111-11, March 30, 2009. The committee's new termination date is September 26, 2018. The Commission will carry out its duties until September 26, 2018, at which time the Commission will terminate pursuant to Public Law 87-126, as amended by Public Law 111-11.

Designated Federal Officer

Brian Carlstrom Superintendent, Cape Cod National Seashore

Committee Members	Start	End	Occupation	Member Designation
Avellar, Mary Jo	01/08/2007	09/26/2018	Retired Businesswoman	Representative Member
Bacon, Kathleen	07/06/2016	09/26/2018	Alternate	Representative Member
Burgess, Maureen	08/09/2012	09/26/2018	Retired	Representative Member
Clark, William	01/15/2004	09/26/2018	Retired	Representative Member
Craig, Joseph	02/11/2014	09/26/2018	Motor Vehicle Industry	Representative Member
Delaney, Richard	08/31/1992	09/26/2018	CEO	Representative Member
Goddard, Nathaniel	01/08/2007	09/26/2018	Retired	Representative Member
Green, Lilli-Ann	07/06/2016	09/26/2018	CEO	Representative Member
Lyons, Sheila	05/08/2012	09/26/2018	Retired	Representative Member
Nuendel, Donald	01/08/2007	09/26/2018	Retired	Representative Member
Robinson, Mark	08/09/2012	09/26/2018	Land Trust	Representative Member
Spaulding, Jr., Lawrence	03/23/1999	09/26/2018	Lawyer	Representative Member
Summersgill, Robert	11/05/2015	09/26/2018	Retired	Representative Member

Number of Committee Members Listed: 13

Narrative Description

The Commission serves as a link between Cape Cod National Seashore, six Lower Cape towns, Barnstable County, and the Commonwealth of Massachusetts on issues of mutual interest. In many cases, park goals on such matters as ground water utilization and protection, wetland restoration, T & E species protection, and protection, off-road vehicle use, and visitor services cannot be accomplished without cooperation among multiple parties. At Commission meetings many such issues are explored. Unlike operational meetings, the FACA designation of the Commission allows for substantive discussion on policy issues, which are critical to the accomplishment of park goals.

What are the most significant program outcomes associated with this committee?

Checked if Applies

Improvements to health or safety

☐

Trust in government

☒

Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input checked="" type="checkbox"/>
Improved service delivery	<input type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

Cost Savings Comments

NA

What is the approximate Number of recommendations produced by this committee for the life of the committee?

14

Number of Recommendations Comments

The Commission renders formal recommendations on major policy or park management decisions in a limited number of cases each year. Typically, advice comes in the form of decisions, commission reaction, public comment, and sometimes a statement of consensus at commission meetings. Commission recommendations are given strong pre-decisional consideration by park management, although final decisions are always reserved for park management. In 2018, the Advisory Commission recommended the reissuance of 6 Commercial CSC's due to expire on 12/31/2018. The Commission has the requirement to recommend approval or denial for renewal, these are of critical importance

to the continuing viability of the CSC holders; Eversource Facility (local power company) in the towns of Provincetown and Truro; CACO Shorebird Management Plan. In FY 2017, the Commission continued to request that the NPS continue to raise concern over the Pilgrim Nuclear Power Plant and its continued threat to residents, visitors and resources of the Seashore. At the March 13, 2017 meeting, the Advisory Commission unanimously voted to continue to endorse the Herring River Restoration project, including the opening of Mill Creek Dike in Wellfleet, to reintroduce tidal flow through the existing area. At the December 12, 2016 meeting, the Advisory Commission voted unanimously to resend a letter to the Nuclear Regulatory Committee stating CACO and the Advisory Commission's concerns of Pilgrim Nuclear Power Plant and wishes to see it closed. At the December 12, 2016 meeting, the Advisory Commission voted unanimously to let the, at the time, current Certificate of Suspension from Condemnation expire, without renewal, until all parties are satisfied with the modifications made to the property. Recommendations were made for continuation of current commercial use permits, and specifically took one commercial permittee, Horton's Camp Ground, to task for clear-cutting and clearing their property to install utilities to each camp site without town approvals which violate the terms of the Certificate of Suspension of Condemnation with the NPS which the Advisory Commission reviews. The Advisory Commission has provided comments and/or endorsed: the Shorebird Management Plan; the Outer Cape Pedestrian Plan; the Herring River Wetland Restoration Plan; and were briefed on the NPS Drone policy and Centennial events. The Advisory Commission continues to play an active role advising the Nickerson Grant committee with the Friends of Cape Cod National Seashore supporting young people fund science investigation projects at the seashore to support their academic program.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

86%

% of Recommendations Fully Implemented Comments

The vast majority of recommendations are implemented as received. Typically, the Commission is thoughtful in considering agency policy constraints and funding limitations prior to formalizing its recommendations and gives only advice that the park can legally or practically follow.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

7%

% of Recommendations Partially Implemented Comments

A small percentage of recommendations are modified by the agency prior to implementation. This occurs rarely and usually only when new information that the Commission did not have the opportunity to consider comes to the agency's attention. Even in such limited cases, when some details may change after the recommendation has been made; the Commission recommendation plays a significant factor in the final outcome.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

The superintendent reports on all actions of interest to the Commission in oral reports at each commission meeting. The superintendent or his assistant also utilizes e-mail for update information between meetings. This includes matters on which the Commission has rendered advice.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>

Action Comments

Based on commission advice, the park has continued to issue Commercial Certificates of Suspension from Condemnation to certain pre-existing businesses located in the park and revised its process for distributing off-road vehicle permits to the public, to much positive feedback.

Is the Committee engaged in the review of applications for grants?

Yes

What is the estimated <u>Number</u> of grants reviewed for approval	3
What is the estimated <u>Number</u> of grants recommended for approval	2
What is the estimated <u>Dollar Value</u> of grants recommended for approval	\$3,000

Grant Review Comments

The Commission oversees a small endowment, held by the Friends of Cape Cod National Seashore, for the purpose of sponsoring student researchers each summer. This year, two applicants received \$1500 grants.

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

Access Comments

The park has a link on its website for access to basic information about the Commission, its membership, and its role. Minutes of meeting can be obtained by accessing through the seashore's WEB site at <http://www.nps.gov/caco/parkmgmt/advisory-commission.htm>. Minutes are uploaded once they are approved by the Commission.